



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/023,637 Confirmation No. 4305  
Applicant: Stuyver *et al.*  
Filed : December 17, 2001  
Title : Antiviral Agents for Treatment of *Flaviviridae* Infections  
TC/A.U. : OIPE  
Examiner : OIPE  
Docket No. : 08841.105044 (PHAR 1030 US)  
Customer No. : 20786

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 17, 2003

**Petition under 37 CFR 1.181(a) to Withdraw the Holding of Abandonment**

Sir:

Applicants hereby petition for the withdrawal the holding of abandonment of this application.

The Patent Office allegedly mailed a Notice to File Missing Parts on April 22, 2002. The Office communication set a two month statutory period for reply, through June 22, 2002. However, the Notice to File Missing Parts was never received by the Applicants or Applicants' representatives. Applicants hereby attest that our files and docket records indicates that the Office communication was never received. Applicants enclose a copy of the docket record where the non-received Notice to file Missing Parts would have been entered had it been received and docketed. In addition, Applicants' Counsel enclose a copy of its records of all the actions that were docketed as due on June 22, 2002. These records indicated that the Notice to File Missing Parts was never received and therefore the requisite date to respond to such Notice was not docketed.

On December 9, 2003, Applicants' Counsel contacted the Office of Initial Patent Examination regarding the status of this application, and obtained a copy of the Notice to File Missing Parts, purportedly mailed on April 22, 2002.

PETITION TO WITHDRAW ABANDONMENT  
Application No. 10/023,637  
Filed December 17, 2001  
Docket No. 08841.105044 (PHAR 1030 US)

Despite the fact that the U.S. Patent Office purportedly mailed the Notice of Missing Parts on April 22, 2002, which was not received by our office, the Patent Office to date has not sent a Notice of Abandonment in this application. In fact, Counsel for the Applicants were advised by the Patent Office that, according to its records, this case is still pending.

Applicants enclose a full response to the Notice to File Missing Parts, which was actually received from the Patent Office on December 9, 2003.

Applicants do not believe any fee is due with this Petition to Withdraw the Holding of Abandonment. Applicants believe that the fee associated with the response to the Notice to File Missing Parts; i.e. the late filing fee for the oath or declaration, is \$65.00. However, if the Patent Office believes that additional fees are due, including, but not limited to, a fee to Withdraw the Holding of Abandonment, the Commissioner is authorized to charge \$65.00, as well as any other deficiency associated with this Petition to Deposit Account 11-0980.

Respectfully submitted,



Sherry M. Knowles  
Registration No. 33,052

Date: December 17, 2003

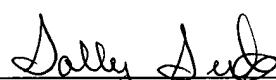
KING & SPALDING LLP  
191 Peachtree Street  
Atlanta, GA 30303  
404-572-4628 (Direct Line)  
404-572-5145 (Facsimile)



PETITION TO WITHDRAW ABANDONMENT  
Application No. 10/023,637  
Filed December 17, 2001  
Docket No. 08841.105044 (PHAR 1030 US)

CERTIFICATE OF MAILING

I hereby certify that this Petition to Withdraw Holding of Abandonment, along with any other paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Sally Sexton

Date: December 17, 2003

## tblDueDates4

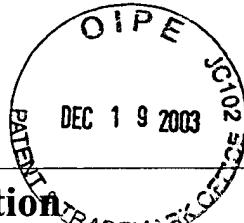
CaseNu	Client	Countr	Attorn	Title	ActionType	ActionDue	DueDate	DateTake	PTO/Base
105007	06949	US	WSP	User Interface for Internet Telephony	Application Status	Application Status	22-Jun-2002	09-Jan-1930	22-Dec-2000
105015	06949	WO	WSP	OSP For SMS Networks	Chapter II Due	Chapter II Due	22-Jun-2002	09-Jan-1930	22-Dec-1999
105013	06949	WO	WSP	System and Method for the Secure Dielectric Filter Assembly	Chapter II Due	Chapter II Due	22-Jun-2002	09-Jan-1930	22-Dec-1999
105027	06948	US	WSP	System and Method for Managing Foreign Filing	Foreign Filing	Foreign Filing Due	22-Jun-2002	09-Jan-1930	22-Jun-2001
105008	16600	US	WSP	System and Application	File Application	Filing Due	22-Jun-2002	21-Mar-200	22-Jun-2001
105008	16600	US	WSP	System and Managing Foreign Filing	Foreign Filing	Foreign Filing Due	22-Jun-2002	09-Jan-1930	22-Jun-2001
105005	08841	US	SMK	B-2- Or 3-Halonucleosides	File Application	Filing Due	22-Jun-2002	21-Jun-2002	22-Jun-2001
105005	08841	US	SMK	B-2- Or 3-Halonucleosides	Foreign Filing	Foreign Filing Due	22-Jun-2002	21-Jun-2002	22-Jun-2001
105005	08841	US	SMK	B-2- Or 3-Halonucleosides	Filing Due	Filing Due	22-Jun-2002	21-Jun-2002	22-Jun-2002
105005	08841	US	SMK	B-2- Or 3-Halonucleosides	Filing Due	Foreign Filing Due	22-Jun-2002	21-Jun-2002	22-Jun-2002
105023	08140	US	SMK	Multiple Mesodermal Lineage	US-3 Month Office	2 Weeks to Final	22-Jun-2002	07-May-200	07-Jan-2002
105003	06937	US	WSP	Method and Computer Networks for Antiviral 1,3-Dioxolane Nucleoside	Priority Claim Due	Priority Claim Due	22-Jun-2002	09-Jan-1930	22-Feb-2002
105066	18085	US	SMK	Endocrine Pancreas Differentiation of Methods and Compositions to Increase	Tax 3.5	Tax 3.5	22-Jun-2002	18-Jun-2002	22-Dec-1998
105035	08140	US	SMK	US-Missing Parts	1st Extension	1st Extension	22-Jun-2002	22-May-200	22-Mar-2002
105059	04676	US	SMK	Supplemental IDs	Supplemental IDs	Supplemental IDs	22-Jun-2002	10-Jul-2002	22-Mar-2002
105010	08286	US	HJH	US-Missing Parts	1st Extension	1st Extension	22-Jun-2002	22-May-200	22-Mar-2002
105001	06721	US	WSP	Hierarchical Administration of	Supplemental IDs	Supplemental IDs	22-Jun-2002	09-Jan-1930	22-Mar-2002

Wednesday, December 10, 2003

Page 1 of 2



<b>CaseNu</b>	<b>Client</b>	<b>Countr</b>	<b>Attorn</b>	<b>Title</b>	<b>ActionType</b>	<b>ActionDue</b>	<b>DueDate</b>	<b>DateTake</b>	<b>PTO/Base</b>
105005	04676	CN	SMK	Treatment for Atherosclerosis and Method and System for Processing	Foreign Office	Response Due	22-Jun-2002	12-Jun-2002	22-Jun-2002
105004	08286	US	HJH	System and Method for	US-Missing Parts	Missing Parts Due	22-Jun-2002	24-Jun-2002	22-Apr-2002
105069	06576	US	WSP	Method for the Synthesis of System and Method for	1 Month	1 Month	22-Jun-2002	09-Jan-1930	22-May-2002
105032	08841	WO	SMK	Correct Defects	Correct Defects	Correct Defects	22-Jun-2002	07-Jun-2002	22-May-2002
105006	08475	WO	WSP	System and Method for	Correct Defects	Correct Defects	22-Jun-2002	13-Jun-2002	22-May-2002
105045	08841	WO	SMK	B-2'- OR 3'-Halonucleosides	PCT Application	PCT Application	22-Jun-2002	24-Jun-2002	22-Jun-2002
105003	10415	US	WSP	Hosei Construction and Method of	Tax 3.5	Tax 3.5	22-Jun-2002	09-Jan-1930	22-Dec-1998
105009	06931	WO	WSP	Method and Apparatus for Registering	Chap. II Filing Due	Chap. II Filing Due	22-Jun-2002	01-Jan-1930	22-Mar-2000



## **Country Application**

Tuesday, December 9, 2003

**Case Number:** 105044 PHA      **Country:** United States of America      **SubCase:**

**Case Type:** ORD                  **Attorney(s):** SMK            mij            hmv

### **SubCase:**

**Case Type:** ORD

Attorney(s): SMK mij hmv

## Title: Antiviral Agents for Treatment of Flaviviridae Infections

**Owner:** PHAR Pharmasset, Ltd.

**Client:** 08841                   **Pharmasset, Ltd.**

**Agent:** KS                            King & Spalding

**Ref#:**

**Application Status:** Pending

**Application Number:** 10/023,637

**Filing Date:** 17-Dec-2001

**Patent Number:**

**Issue Date:**

**Publication Number:**

**Publication Date:**

Priority Number: 60/256,066

**Priority Date:** 15-Dec-2000

**Tax Schedule: LE**

**Expiration Date:**

**Keyword(s):**

---

PHAR1030 US

**Remarks:** 12/17/2001 Application,specs.,claims,drawings,power of attorney and declarations filed with USPTO  
01/08/2002 Rec'd postcard from USPTO application filed  
02/11/2002 Assignment filed with USPTO  
03/21/2002 Rec'd postcard from USPTO assignment filed  
04/03/2002 Rec'd postcard from USPTO ids filed  
05/10/2002 Rec'd notice of recordation of assignment from USPTO recorded 02/27/02 reel/frame 012652/0831  
06/05/2002 IDS with search report filed with USPTO  
06/17/2002 Rec'd postcard from USPTO supplemental ids filed

## List Of Actions

Action(s) Due	Due Date	Action Taken
1 Month Amendment Deadline	17-Jan-2002	Due Date
14 Month Amendment Deadline	15-Feb-2002	Due Date
File Assignment	17-Mar-2002	Due Date
Information Disclosure Stmtnt	17-Mar-2002	Due Date
Priority Claim Due	17-Apr-2002	Due Date
Publication	15-Jun-2002	Due Date
File CIP Application	17-Jun-2002	Due Date
Supplemental IDS Due	06-Jul-2002	Reminder
Supplemental IDS Due	06-Aug-2002	Due Date
Foreign Filing Due	17-Dec-2002	Final

## **Country Application**

**Tuesday, December 9, 2003**

Application Status Check	17-Jun-2003	Due Date
Request for Examination	17-Dec-2004	Due Date 09-Jan-1930

**User ID:** 7394

**Date Created:** 19-Dec-2001

**Last Update:** 17-Jun-2002